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SCARBOROUGH, NY 10510-0827

EXAMINER

NG, CHRISTINE Y

ART UNIT	PAPER NUMBER
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2663

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/783,740

Applicant(s)

TAYLOR ET AL.

Examiner

Christine Ng

Art Unit

2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15-26 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 2, 4-8, 11, 13, 14 and 17-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 1, it is unclear what function the system data storage serves.

Claim 1 recites the limitation "said network" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 2 recites the limitation "said network" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "said network" in lines 2-3, 3, 4, 5 and 6 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "said network" in lines 2, 3, 5 and 6 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 6 recites the limitation "said network" in lines 2 and 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 7 recites the limitation "said network" in lines 2, 3 and 4 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "said network" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 recites the limitation "said defined criteria" in line 1 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "said network" in lines 3, 6, 7-8 and 8 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "said network" in lines 2 and 4 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 17 recites the limitation "said network" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 18 recites the limitation "said network" in lines 2 and 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 19 recites the limitation "said network" in lines 3, 4 and 6 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 20 recites the limitation "said network" in lines 1, 2, 3 and 4 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 21 recites the limitation "said network" in lines 1 and 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 2, 4-6, 13, 15, 16, 18-20 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,680,935 to Kung et al.

Referring to claim 1, Kung et al disclose in Figures 1 and 2 a network system, comprising:

A distributed network system (Figure 1, IP Network 120).

A network processor (Figure 1, IP central station 200) said processor (Figure 1, IP central station 200) being connected to said network (Figure 1, IP Network 120).

System data storage (Figure 2, Call manager 218), said processor (Figure 1, IP central station 200) being connected to said system data storage (Figure 2, Call manager 218). The IP central station 200 has a call manager 218 that contains a resources database, trunk/gateway database, customer database, etc. Refer to Column 9, lines 40-42 and Column 10, line 54 to Column 11, line 6.

Administrator data packets including contact telephone data (from Call manager 218) and voice packets, said network processor (Figure 1, IP central station 200) receiving alert data including one or more of status data (called party is busy), fault data (call did not go through) and error data (system error) and sending selected packets in response to said alert data including voice packets. When a user wishes to send a call, the call manager 218 may establish a connection to the announcement server 220 to send various system messages for situations such as when the number dialed is incorrect or that the call did not go through as dialed, that the lines are busy, etc. Refer

to Column 9, lines 12-38. The announcement server 220 stores and sends announcements to selected destinations based on instructions from call manager 218. Refer to Column 8, lines 35-39. Furthermore, the IP central station 200 creates IP based communication between the IP network 120 and the PSTN 160 for VOIP telephony, thereby packetizing voice. Refer to Column 6, lines 21-32 and lines 38-41.

Referring to claim 2, Kung et al disclose in Figure 2 a telephone line network interface (Voice gateway 232) connected to a public telephone line (PSTN 160) and connected to said network (IP Network 120), said network processor (IP central station 200) sending packets to said telephone line network interface (Voice gateway 232) for initiating a call based on said contact telephone data (from Call manager 218). The voice gateway 232 is connected to PSTN 160 and operates to convert between IP based voice packets and PSTN 120 voice traffic. Refer to Column 12, lines 12-15.

Referring to claims 4 and 18, Kung et al disclose in Figure 1 that the network system further comprises: a plurality of network telephones (CPE 102), each network telephone (CPE 102) being connected to said network (IP Network 120) and sending packets to and receiving packets from said network (IP Network 120), including control packets from the network processor (IP central station 200) and telephone voice packets, said network processor (IP central station 200) monitoring a network telephone system including said network (IP Network 120), and said network telephones (CPE 102), said network processor (IP central station 200) sending packets to said network (IP Network 120) including address data, as said contact telephone data (from Call manager 218), for one or more of said network telephones (CPE 102) for initiating a call

based on said address data and for converting said voice packets to analog voice signals at said one or more of said network telephones (CPE 102) for said call. CPE 102 includes POTS phones. Refer to Column 3, lines 47-53. IP central station is "configured to manage voice information transfer from the PSTN 160, through the IP network 120, and into and out of one or more devices" in CPE 102 for VOIP telephony. Refer to Column 5, lines 40-44 and Column 6, lines 21-27. IP central station 200 monitors network conditions through call manager 218. Call manager 218 instructs announcement server 220 to send announcements to certain called destinations in situations such as when the number dialed is incorrect or that the call did not go through as dialed, that the lines are busy, etc. Refer to Column 8, lines 35-39 and Column 9, lines 12-38. Furthermore the gateway 300 connected to CPE 102 converts between analog voice and IP voice packets. Refer to Column 16, line 66 to Column 17, line 2.

Referring to claims 5 and 19, Kung et al disclose in Figure 2 a network telephone (CPE 102) connected to said network (IP Network 120) via an Internet gateway (Internet gateway 236), said network telephone (CPE 102) sending packets to and receiving packets from said network (IP Network 120) via said gateway (Internet gateway 236), including control packets from said network processor (IP central station 200) and telephone voice packets, said network processor (IP central station 200) sending packets to said network (IP Network 120) including address data, as said contact telephone data (from Call manager 218), for said network telephone (CPE 102) connected to said network (IP Network 120) via the Internet gateway (Internet gateway 236), for initiating a call based on said address data and for converting said voice

packets to analogue voice signals at said one or more of said network telephones (CPE 102) for said call. Refer to the rejection of claim 4. Furthermore, the Internet gateway 236 provides a means for IP based data packets to be routed between the IP network 120 and the Internet 180. Refer to Column 16, lines 5-9.

Referring to claims 6 and 20, Kung et al disclose in Figure 1 a network device (CPE 102) connected to said network (IP Network 120), said network device (CPE 102) sending packets to and receiving packets from said network (IP Network 120), said network processor (IP central station 200) sending packets to said network device (CPE 102) including address data, as said contact telephone data (from Call manager 218), for said network device (CPE 102) for initiating a voice message based on said address data and for converting said voice packets to analogue voice signals at said network device (CPE 102). Refer to the rejection of claim 4.

Referring to claim 13, Kung et al discloses in Figures 1 and 2 a network telephone system comprising:

A distributed network (Figure 1, IP Network 120); a network call processor (Figure 1, IP central station 200) connected to said network (Figure 1, IP Network 120), said network call processor (Figure 1, IP central station 200) having a memory (Figure 2, Call manager 218) for system settings and administration information; a telephone line network interface (Figure 2, Voice gateway 232) connected to a telephone line (PSTN 160) and connected to said network (Figure 1, IP Network 120). Refer to the rejection of claims 1 and 2.



A plurality of network telephones (CPE 102), each network telephone (CPE 102) being connected to said network (IP Network 120) and sending packets to and receiving packets from the network (IP Network 120), including control packets from the network call processor (IP central station 200) and telephone voice packets from telephone line signals at said telephone line network interface (Voice gateway 232), said network call processor (IP central station 200) monitoring said system and issuing a notification upon the system reaching one or more defined criteria (status data, fault data or error data), wherein the notification includes sending one of several prompts (voice messages) from the network call processor (IP central station 200) to one of the network telephones (CPE 102), a telephone connected via a public system or a connected computer or network device and said prompt (voice messages) includes voice data providing an audio message. Refer to the rejection of claim 4.

Referring to claim 15, Kung et al disclose in Figure 1 that the network system further comprises a network server (Administration Center 155) with data storage, said network call processor (IP central station 200) being connected to said server (Administration Center 155). Administration Center 155 provides billing and local director number portability administration. Refer to Column 5, lines 49-52.

Referring to claim 16, Kung et al disclose in Figures 1 and 2 a network process, comprising: providing a network system (Figure 1, IP Network 120) including a network processor (Figure 1, IP central station 200), system data storage (Figure 2, Call manager 218) and devices (Figure 1, CPE 102) connected to the network (IP Network

120); monitoring at least the status of the network system (Figure 1, IP Network 120) with the network processor (Figure 1, IP central station 200); and issuing an alert voice message including sending voice packets with voice data saved in system data storage (Figure 2, Call manager 218) based on contact telephone data saved in the system data storage (Figure 2, Call manager 218). Refer to the rejection of claim 1.

Referring to claim 26, Kung et al discloses in Figure 3 providing a display (Display 338) of at least some data in said data storage (Call manager 218) at least one of said network telephones (CPE 102). Display 338 is an interface to "notify, display and receiver user inputs and processing status", such as "multimedia mail, called ID, call logs, call in progress and associated information, call waiting information, call conferencing, and/or other call related information". Refer to Column 20, lines 8-25.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,680,935 to Kung et al in view of U.S. Patent No. 5,940,479 to Guy et al.

Referring to claim 3, Kung et al do not disclose that voice packets are converted to analog voice signals at said telephone line network interface (Figure 2, Voice gateway 232) for said call.

Guy et al disclose in Figure 1 a gateway 101B that connects PSTN 140 to WAN 104. As shown in Figure 8B, upon receiving a digital packet from WAN 104, gateway 101B can convert the packet to an analog signal for transmission to PSTN 140 and then to a destination telephone 142. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include disclose that voice packets are converted to analog voice signals at said telephone line network interface for said call; the motivation being a WAN is a packet-switched system and voice packets sent over a WAN must be converted into analog aural signals to be heard at a destination telephone of a PSTN.

Referring to claim 17, refer to the rejection of claims 2 and 3.

7. Claims 7 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,680,935 to Kung et al in view of U.S. Patent No. 6,339,591 to Migimatsu. Kung et al disclose in Figures 1 and 2 a network device (CPE 102) connected to said network (IP Network 120), said network device (CPE 102) sending packets to and receiving packets from said network (IP Network 120), said network processor (IP central station 200) sending packets to said network device (CPE 102) including address data, as said contact telephone data (from Call manager 218), for said network device (CPE 102) for initiating a voice message based on said address

data and for converting said voice packets to analogue voice signals at a device (CPE 102). Refer to the rejection of claim 4.

Kung et al do not disclose that the network device (CPE 102) is operatively connected to a paging system or the initiation of a page at said paging system.

Migimatsu discloses that a paging system is associated with telephones, allowing a caller to page and optionally leave a voicemail for a receiver at any time. The receiver can then check the voicemail or return the call at any time. Refer to Column 2, lines 37-62 and Column 8, line 64 to Column 9, line 7. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the network device is operatively connected to a paging system and the initiation of a page at said paging system; the motivation being that a paging system allows a caller to contact a callee at any time and the callee may return the call or listen to the voicemail at any convenient time.

8. Claims 8, 11, 12, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over unpatentable over U.S. Patent No. 6,680,935 to Kung et al.

Referring to claims 8, 12 and 22, Kung et al disclose in Figure 1 a network device (CPE 102) connected to said network and data including settings data and preferences for changing at least said contact telephone data and for associating voice messages comprised of said voice data with one or more of potential status data, fault data, error data or types of status data, fault data or error data and established criteria. A called party may reject incoming calls if the caller ID is not available or cannot be identified.

Refer to Column 30, lines 13-16. The IP network may "configure the customer database (containing the called party's user profile) such that each incoming call will be treated according to the called party's desired options" (Column 30, lines 36-40).

Additionally, different voice messages from the announcement server 220 are associated with different system errors, such as when the number dialed is incorrect or that the call did not go through as dialed, that the lines are busy, etc. Refer to Column 9, lines 12-38.

Kung et al do not specifically disclose a software interface providing a display of data in said data storage.

However, Kung et al disclose in Figure 3 that the gateway 300 associated with the CPE 102 includes a display 338. Display 338 is an interface to "notify, display and receiver user inputs and processing status", such as "multimedia mail, called ID, call logs, call in progress and associated information, call waiting information, call conferencing, and/or other call related information". Refer to Column 20, lines 8-25.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a software interface providing a display of data in said data storage; the motivation being so that the user can be notified of the status of calls in real-time.

Referring to claim 11, Kung et al disclose in Figure 2 that the defined criteria includes one or more of disk space status, memory status, error messages and connection status. The defined criteria include error messages and connection status.

The call manager 218 sends system messages with the criteria: indication "that a number dialed is incorrect or that the call did not go through as dialed, that the lines are busy, that all lines between two countries are currently busy, that the called party has changed numbers, that the called parties phone has been disconnected, that one or more system errors have occurred, and/or other announcement messages" (Column 9, lines 31-38).

Referring to claim 23, Kung et al disclose in Figures 1 and 2 that the software interface includes a web browser and web pages (through Internet 180) accessible from said data storage (Call manager 218) based on an address associated with the network (IP Network 120). IP central station 200 provides an Internet gateway 236 for users in CPE 102 to access to the Internet 180. Refer to Column 6, lines 21-23 and Column 16, lines 5-9.

9. Claims 9, 10, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,680,935 to Kung et al in view of U.S. Patent No. 5,802,146 to Dulman.

Referring to claim 9, Kung et al disclose establishing settings and preferences including defined criteria for sending administrator data packets. The call manager 218 sends various system messages associated with the criteria: indication "that a number dialed is incorrect or that the call did not go through as dialed, that the lines are busy, that all lines between two countries are currently busy, that the called party has changed numbers, that the called parties phone has been disconnected, that one or

more system errors have occurred, and/or other announcement messages" (Column 9, lines 31-38).

Kung et al do not disclose that the software interface is a GUI.

Dulman discloses in Figures 9A-9H GUI displays of icons showing the error status and relatively priority of the different systems being monitored. Refer to Column 17, lines 18-39. Furthermore, when a critical failure has been identified, the user "may take corrective action by selecting the icon displaying the critical failure". Refer to Column 17, lines 18-20 and Column 18, lines 22-32. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the software interface is a GUI; the motivation being that a GUI allows the user to interactively see the operational status of all devices of the system and decide what type of action to make when an error occurs.

Referring to claims 10 and 24, Kung et al disclose in Figure 2 that the voice data includes a plurality of message prompts which are sent upon defined criteria being reached by said network system. When any error has occurred in the connection of the call, the announcement server 220 sends a "pre-recorded/pre-determined announcement". Refer also to Column 9, lines 12-17. Refer to the rejection of claim 9.

Kung et al do not disclose that the software interface allows selection of one or more of said prompts.

Dulman discloses in Figures 9A-9H GUI displays of icons showing the error status and relatively priority of the different systems being monitored. When a critical

failure has been identified, the user "may take corrective action by selecting the icon displaying the critical failure". The user selects a corrective measure from a GUI display "offering alternative countermeasures to correct the failure". Refer to Column 17, lines 18-20 and Column 18, lines 22-32. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the software interface allows selection of one or more of said prompts; the motivation being so that the user can choose what type of countermeasure to take against a critical error, depending on user preference and resources.

Referring to claim 25, Kung et al discloses that some of said message prompts are prerecorded and precorrelated with defined criteria for sending administrator data packets. When any error has occurred in the connection of the call, the announcement server 220 sends a pre-recorded/pre-determined announcement. Refer to the rejection of claim 9. Refer also to Column 9, lines 12-17.

#### ***Allowable Subject Matter***

10. Claim 14 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***


11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (703) 305-8395. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

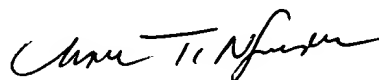


Art Unit: 2663

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Chau can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. Ng   
July 6, 2004



CHAU NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600